

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAMONT WILLIAM PAPAKEE and
CONNIE FRANCES BLACKCLOUD,

Defendants.

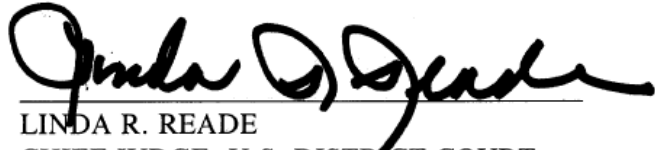
No. 06-CR-162-LRR

ORDER

The Second Superseding Indictment predicates jurisdiction in this matter upon 18 U.S.C. §§ 1151 and 1153. The parties are directed to brief whether this court has jurisdiction. Specifically, the parties should address (among other issues) whether the offenses charged in the Second Superseding Indictment, which allegedly occurred “on the Sac and Fox Tribe of the Mississippi in Iowa Meskwaki Settlement,” occurred in “Indian country.” *See, e.g., United States v. Kasto*, 584 F.2d 268, 275 n.8 (8th Cir. 1978) (permitting defendant to raise same jurisdictional issue in post-conviction proceedings); *Youngbear v. Brewer*, 415 F. Supp. 807, 809 (N.D. Iowa 1976) (discussing status of “Sac and Fox Indian Settlement” in habeas corpus action) (citing *State v. Youngbear*, 229 N.W.2d 728, 732 (Iowa 1975)); *see also Sac & Fox Indians of the Miss. in Iowa v. Sac & Fox Indians of the Miss. in Okla.*, 220 U.S. 481, 482-90 (1911) (Holmes, J.) (discussing history of the Settlement); *Sac & Fox Tribe of Miss. in Iowa v. Licklider*, 576 F.2d 145, 147-50 (8th Cir. 1978) (similar). **Briefs are due on or before March 19, 2007, at 5 p.m.**

IT IS SO ORDERED.

DATED this 12th day of March, 2007.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA